

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE FRANCIS J. LOPEZ,
Debtor.

FRANCIS J. LOPEZ,
Appellant,
v.
ALAN STANLY,
Appellee.

Civil No. 08cv0713 JAH(WMc)

Bankruptcy No. 05-5926-PBINV

**ORDER SETTING BRIEFING
SCHEDULE ON BANKRUPTCY
APPEAL**

The Court has received notice of transfer of an appeal from the United States Bankruptcy Appellate Panel of the Ninth Circuit. After a review of the record, this Court finds it appropriate to set a hearing date for purposes of this appeal. In preparation for the appeal, the Court **ORDERS** the following appeal and briefing schedule:

I. This Court shall receive a Record of Appeal no later than May 27, 2008. These dates apply to any portion of the bankruptcy court's decision that is being appealed by appellant or cross-appealed by appellee. It is counsels' obligation, after determining those sections of the record relevant to the motion, to notify the court reporter and arrange for the desired portions of the transcript to be prepared and sent to the bankruptcy appeals clerk at the U.S. Bankruptcy Court. See Fed.R.Bank.Pro. 8007; General Order 312-D, § 2.03. All counsel intending to appeal a portion of the bankruptcy court's decision, therefore, must notify the

1 court reporter in a timely fashion so that the transcripts may be completed and submitted to
2 the appeals clerk of the Bankruptcy Court. Each counsel must also provide two copies of any
3 documents he or she wants made part of the record to the bankruptcy appeals clerk of the
4 Bankruptcy Court so the bankruptcy appeals clerk can certify those documents and transmit
5 them to this Court.¹ Each counsel is solely responsible for monitoring the process governing
6 the completion of the record to ensure that this Court is provided a certified Record of Appeal
7 under the time table established in this order. If appellee intends to certify portions of the
8 record after receiving the submissions by appellant, then attorney(s) for appellees must do so
9 with such rapidity as to comply with the briefing schedule outlined below.

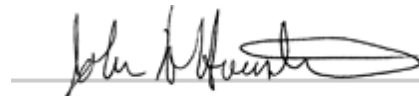
10 2. No later than July 7, 2008, appellant shall serve and file its opening brief and
11 supporting evidence. The motion shall comply with United States District Court for the
12 Southern District of California Local Rule 7.1.h. Any cross-appeals shall be treated as opening
13 motions for purposes of this briefing schedule and filed by this date;

14 3. No later than August 8, 2008, appellee shall serve and file its responsive brief and
15 supporting evidence. This responsive brief shall comply with Local Rule 7.1.h.;

16 4. No later than August 22, 2008, appellant shall serve and file any reply brief and
17 any evidence directly rebutting the supporting evidence contained in appellee's response. This
18 reply shall comply with Local Rule 7.1.h.

19 5. The hearing on this appeal is scheduled before this Court in Courtroom 11 on
20 September 15, 2008 at 2:30 p.m.

21
22 DATED: April 22, 2008

23
24 
25 JOHN A. HOUSTON
United States District Judge

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27 ¹After filing the Notice of Appeal in the district court, the appealing party must file a Designation of
28 Record. This document notifies the bankruptcy court of the portions of the record that are being appealed to
the district court.

After designation of the record, a period of time elapses during which the bankruptcy court completes
the record for transmittal to the district court.